

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In Re:)	
)	
RONALD EARL STEPHENS AND)	
LISA MARIE STEPHENS,)	
)	
Debtors,)	No.: <u>11-31062</u>
)	
vs.)	
)	
RONALD EARL STEPHENS AND)	Adversary No.: <u>11-</u>
LISA MARIE STEPHENS,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
REGIONS BANK,)	
)	
Defendant.)	

COMPLAINT TO AVOID LIEN

Come now the Debtors/Plaintiffs, RONALD EARL STEPHENS and LISA MARIE STEPHENS, by their attorney, JOHN J. JOHNSTON, and for their cause of action against the Defendant, REGIONS BANK, states as follows:

1. That the above-styled Chapter 13 proceeding was commenced on May 6, 2011.
2. That this court has jurisdiction over this matter pursuant to 28 USC Section 157(b)(1).
3. That this is a core proceeding.
4. That venue is proper in this court pursuant to 28 USC Section 1409.
5. That the Defendant has a security interest to the extent of \$75,865.28 as a second mortgage on

the Plaintiffs' residence at 1517 Ballyvaughn Court, Greenville, Illinois.

6. That pursuant to Schedule A, the property has a fair market value of \$310,000.00 and the Plaintiffs owe \$411,000.00 on senior mortgages, leaving no value to attach to the mortgage held by the Defendant.

WHEREFORE, the Plaintiffs pray for judgment and an Order holding void the lien of the Defendant on the property located at 1517 Ballyvaughn Court, Greenville, Illinois, reclassifying the debt owed to the Defendant as an unsecured debt, to be paid as a general unsecured debt according to the terms of the Plaintiffs' Chapter 13 Plan, directing the Defendant to, within 30 days of the date of discharge, file its release of lien with all appropriate parties, and for such other relief as the court deems just and proper.

RONALD EARL STEPHENS AND LISA MARIE
STEPHENS

By: s/John J. Johnston
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